

2/15/22

UNITED STATES DISTRICT COURT

for the
Western District of Oklahoma

In the Matter of the Search of
*(Briefly describe the property to be searched
 or identify the person by name and address)*
 an iPhone cellular telephone,
 IMEI Number 356716115599889

Case No. M-22-102 -STE

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

See Attachment A

located in the Western District of Oklahoma, there is now concealed *(identify the person or describe the property to be seized)*:

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
 21 U.S.C. § 841(a)(1)

Offense Description
 Possession of a Controlled Substance with Intent to Distribute

The application is based on these facts:
 See attached Affidavit

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

DION PORTER, Task Force Officer (FBI)

Printed name and title

Sworn to before me and signed in my presence.

Date: Feb 15, 2022

Lawton,

City and state: [REDACTED] Oklahoma


Judge's signature

SHON T. ERWIN, U.S. Magistrate Judge

Printed name and title

WESTERN DISTRICT OF OKLAHOMA

OKLAHOMA CITY, OKLAHOMA

[illegible]

AFFIDAVIT IN SUPPORT OF SEARCH WARRANTS

I, Dion Porter, Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI), having been duly sworn, depose and state as follows:

I am a TFO with the FBI and am empowered to conduct investigations and make arrest for violations of Title 21 of the United States Code. In addition, I am an Investigator with the Oklahoma City Police Department (OCPD) and have been employed as a peace officer with them since September 2002. During my tenure as a law enforcement officer, I have been involved in a wide variety of investigative matters, including numerous investigations targeting large criminal enterprises, most of which involved the unlawful distribution of narcotics in violation of 21 U.S.C. §§ 841(a)(1) and 846. As part of my drug-related investigations with the FBI, I have coordinated the execution of search and arrest warrants, conducted physical surveillance, coordinated controlled purchases with confidential sources and undercover officers, analyzed records documenting the purchase and sale of illegal drugs, and spoken with informants and subjects, as well as other local and federal law enforcement officers, regarding the manner in which drug distributors obtain, finance, store, manufacture, transport, and distribute their illegal drugs. Through my training and experience, I have become familiar with some of the manners in which

illegal drugs are imported, distributed, and sold, as well as the methods used by drug dealers to disguise the source and nature of their profits.

1. I am submitting this Affidavit in support of a search warrant authorizing a search of four cellular telephones—(1) a **Samsung cellular telephone, IMEI Number 350091125314133** (hereinafter **SUBJECT PHONE 1**); and (2) a **Samsung cellular telephone, IMEI Number 3565444765217457** (hereinafter **SUBJECT PHONE 2**); (3) a **iPhone cellular telephone, IMEI Number 356716115599889** (hereinafter **SUBJECT PHONE 3**); and (4) a **Samsung cellular telephone, IMEI Number 353245904944976** (hereinafter, **SUBJECT PHONE 4**) (collectively, the **SUBJECT PHONES**)—as further described in **Attachment A**, which is incorporated into this Affidavit by reference. The FBI in Oklahoma City has custody of the **SUBJECT PHONES** in Oklahoma City, Oklahoma. I am submitting this Affidavit in support of a search warrant authorizing a search of the **SUBJECT PHONES** for the items specified in **Attachment B** hereto, wherever they may be found, and to seize all items in **Attachment B** as instrumentalities, fruits, and evidence of the aforementioned crimes.

2. Since this Affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me regarding this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to support the issuance of a search warrant. The information contained in this Affidavit is based upon my personal knowledge and observation, my training and experience, conversations with other law enforcement officers and witnesses, and review of documents and records.

BACKGROUND OF INVESTIGATION

3. The FBI and the Oklahoma City Police Department (OCPD) are working a joint investigation into the drug-trafficking activities of ALEJANDRO ESTRADA GALLEGOS (GALLEGOS). On February 8, 2022, investigators were conducting surveillance at GALLEGOS' residence located at 3705 SW 26th St., Oklahoma City, Oklahoma. At approximately 5:16 p.m., a white Toyota Corolla bearing Texas tag CT8-X599 arrived and parked in the driveway of the residence.¹ Joel CHAVEZ (CHAVEZ) was the driver of the vehicle. Jonathan AVILLA-ARRELLANO (AVILLA-ARRELLANO) was in the passenger seat. AVILLA-ARRELLANO exited the vehicle and attempted to enter the residence through the front-door, but the door was locked.² AVILLA-ARRELLANO then retrieved a tool from the car and walked to the back of the house with CHAVEZ. While attempting to gain access to the residence through the back door, Julian SANCHEZ-NAVA (SANCHEZ-NAVA) arrived at the residence

¹ This vehicle is registered to Jose Chavez at 10167 State Highway 135 North, Troup, Texas.

² GALLEGOS had not been seen at his residence since February 5, 2022. Over the next few days leading up to the events described herein, several individuals were observed attempting to make contact with GALLEGOS at the residence. Investigators later determined that GALLEGOS had not been back to the residence because he was deceased. On February 8, 2022, Midwest City discovered GALLEGOS dead in his vehicle. Preliminary investigative efforts indicate GALLEGOS may have died from a drug overdose as detectives discovered several blue colored "M30" pills in GALLEGOS' pocket. These pills are commonly laced with fentanyl. Detectives are continuing to investigate the circumstances surrounding GALLEGOS' death.

4. AVILLA-ARRELLANO walked to the back again and was observed exiting the back of the residence with a dark-colored backpack and plastic sack. AVILLA-ARRELLANO placed the backpack and plastic sack in CHAVEZ's vehicle behind the front-driver's seat. The three were observed by law enforcement going back into the residence. After a brief time, CHAVEZ exited the residence and jogged to his vehicle. AVILLA-ARRELLANO and SANCHEZ-NAVA also exited the residence with several Bluetooth speakers and placed them into CHAVEZ's vehicle. AVILLA-ARRELLANO and SANCHEZ-NAVA entered the vehicle with CHAVEZ and the three quickly departed the residence.

5. Law enforcement followed CHAVEZ's vehicle and conducted a traffic stop. Inside the vehicle, law enforcement recovered the dark-colored backpack, plastic bag, and bluetooth speakers that had been removed from the residence. Inside the backpack was approximately ten pounds of crystal substance, which field tested positive for the presence of methamphetamine. With the methamphetamine was a small baggie with blue colored pills. The pills, in excess of fifty, were marked "M30."³ Also inside the backpack was a chamber

³ These are the same type of pills that were found on GALLEGOS when he was discovered deceased in his vehicle in Midwest City on February 8, 2022. After the referenced traffic stop, law enforcement executed a search warrant at GALLEGOS' residence located at 3705 SW 26th St., Oklahoma City, Oklahoma. There, officers recovered a significant quantity of the blue "M30" pills, totaling in excess of 500 grams. As previously stated, these pills are commonly laced with varying amounts of fentanyl. Out of caution, law enforcement did not conduct a presumptive field test for the presence of fentanyl. Investigators anticipate that laboratory testing will be completed in the near future.


loaded Jimenez Arms 9mm pistol with two boxes of 9mm ammunition. In addition, the backpack contained drug ledgers and documents from GALLEGOS, including a Mexican identification card in GALLEGOS' name. The plastic sack, located in the vehicle with the backpack, contained \$42,193. Inside one of the bluetooth speakers were wrappings used to package and conceal drugs.

6. CHAVEZ, AVILLA-ARRELLANO, and SANCHEZ-NAVA were all taken into custody by OCPD and transported to the Oklahoma County Jail. In addition to the drugs, gun, and U.S. currency, law enforcement also seized **SUBJECT PHONE 1** from CHAVEZ and **SUBJECT PHONE 2** from AVILLA-ARRELLANO. **SUBJECT PHONE 3** and **SUBJECT PHONE 4** were found in the vehicle. The seized property was checked into the OCPD Property Room and then transferred to the Oklahoma City FBI Evidence Control Room.

7. Based upon my training and experience, I am aware that individuals involved in trafficking illegal narcotics often use cell phones to maintain contact with other co-conspirators, including suppliers, transporters, distributors, and purchasers of illegal narcotics. Such cell phones and their associated memory cards commonly contain electronically stored information which constitutes evidence, fruits, and instrumentalities of drug trafficking offenses including, but not limited to, the phone directory and/or contacts list, calendar, text messages, e-mail messages, call logs, photographs, and videos.

8. Based on the above information, there is probable cause to believe that violations of 21 U.S.C. §§ 841(a)(1) have occurred, and that evidence, fruits, and instrumentalities of these offenses are located on the **SUBJECT PHONES**. Therefore, I respectfully request that this

Court issue a search warrant for the **SUBJECT PHONES**, described in **Attachment A**, authorizing the seizure of the items described in **Attachment B**.



DION PORTER
Task Force Officer
Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me this 15th day of February, 2022.



SHON T. ERWIN
United States Magistrate Judge

ATTACHMENT A

DESCRIPTION OF DEVICES TO BE SEARCHED

An iPhone cellular telephone, IMEI Number 356716115599889.

ATTACHMENT B

LIST OF ITEMS TO BE SEIZED

All records on the SUBJECT PHONE(s) described in Attachment A that relate to violations of law, including, specifically 21 U.S.C. § 846, Drug Conspiracy and or evidence of 21 U.S.C. § 841, Possession with intent to Distribute Controlled Substances. Your Affiant believes there are possibly text messages, contact information, photographs or other items communicated within this device that provide information about illegal activities which involve Sandra Fierro GARCIA and/ or possible co-conspirators including:

1. Stored communications which are voice recordings/messages, text messages (SMS) and multimedia messages (MMS), emails and attachments, read or unread which relate to and provide evidence of criminal activity described in this affidavit;

2. Stored communications voice or text based located within downloadable messaging applications or social media applications

3. All internet usage history that may reveal evidence of drug trafficking, such as package tracking, internet mail communications, electronic payment receipts, etc.

4. Call logs/histories depicting incoming/outgoing numbers dialed to and from the above described telephone device which relate to and provide evidence of the above described criminal activity and further described in this

affidavit;

5. Internet World Wide Web (WWW) browser files including browser history, browser cache, browser favorites, auto-complete form history and stored passwords;

6. Contacts, address books and calendars, customer lists and related identifying information such as names, nicknames and/or monikers within the above described telephone device which relate to and provide evidence of the above described criminal activity and further described in this affidavit;

7. Photographs, audio/video recordings with their associated metadata relating to and which provide evidence of the above described criminal activity and further described in this affidavit;

8. Stored location information including global positioning system (GPS) data indicating coordinates, way points, tracks and locations in which the phone has traveled; and,

9. Data and user records/information, password(s) that would assist in identifying/confirming the owner(s)/user(s) of the above referenced property to be searched.